

It was alleged in the libels that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, borne on the tube and carton labels and in the circular, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Tube) "Rheumatic Pains, Neuritis, Neuralgia, Lumbago, Arthritis, \* \* \* Headaches, \* \* \* Chronic Cases;" (carton) "Rheumatic Pains, Neuritis, Neuralgia, Lumbago, Arthritis, \* \* \* Headaches," (circular) "'Draws out pain \* \* \* like a magnet!'" \* \* \* This famous old European Remedy has been relieving pain for many years, and has prevented many hours of pain and suffering. \* \* \* In all cases of muscular pains, congestion in the chest, cold in the head, and many similar ailments, Magneto Balm offers an easy, pleasant road to prompt relief. Even stubborn, long-standing cases yield to the soothing, healing qualities of Magneto Balm, if persistently used. To Insure Results. To get prompt results, apply either a hot-water bag, electric pad, or moist, steaming cloth over the spot to be treated, for five minutes, then massage with Magneto Balm. By thus opening the pores, you help the Balm to penetrate instantly to the pain or ache. Directions. For Use in the Treatment of Rheumatism, Lumbago, Neuritis, Sciatica, Arthritis \* \* \* rub Magneto Balm well into aching parts. Neuralgia, Gout, Magneto Balm has relieved thousands from these painful ailments. Rub well over area where pain is most acute. \* \* \* Headache \* \* \* Sore Throat \* \* \* Stiff Neck \* \* \* Earache \* \* \* Flu usually begins with a cold. Prompt treatment of colds with Magneto Balm may therefore ward off 'Grippe,' or 'Flu,' etc. \* \* \* Magneto Balm is Penetrating. It not only helps relieve pain, but at the same time helps to draw out any inflammation or swelling, should any exist. How to Recognize Your Ailment. Neuritis is rheumatism affecting the nerves of the fingers, wrists, ankles, shoulders, toes, or anywhere in the body. Neuralgia may usually be recognized by: 1. Intense pains. 2. The pain is not steady, but seems to 'come and go.' 3. Neuralgic pains sometimes jump about from one part of the body to the other. Sciatica is the name for pains along the sciatic nerve or the inner part of the legs from the thighs to the ankles. Lumbago usually begins with excruciatingly severe pains in the back, followed by almost constant backache just below the point where a belt would pass around the back of the body. When Blood Flows Freely Pain Stops Quickly. When the blood is flowing freely through your veins, you are enjoying vital, vigorous health. But when some disorder occurs, there is often a damming or congestion of the blood and trouble follows. An aching back, \* \* \* almost any pain causes blood congestion; your blood is no longer flowing freely; poisons gather; the contested part pains, throbs and aches. To stop this pain you must start the blood flowing freely as soon as possible. How? By applying Magneto Balm. The application of this famous remedy brings almost instant relief. It helps nature by stimulating circulation; by rushing red, living blood to the suffering spot—thus relieving congestion and preventing further suffering."

On September 22, 1931, no claimant having appeared for the property, judgments of condemnation and confiscation were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18745. Misbranding of Sales Hepaticas. U. S. v. 12 Dozen Bottles of Sales Hepaticas. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26822. I. S. No. 5792. S. No. 4917.)**

Examination of the drug product Sales Hepaticas having shown that the carton and bottle labels bore statements representing that the article possessed curative and therapeutic properties which, in fact, it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Porto Rico.

On August 3, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 12 dozen bottles of the said Sales Hepaticas, alleging that the article had been shipped on or about June 12, 1931, by Yglesias & Co. (Inc.), New York, N. Y., to San Juan, P. R., that it was being sold and offered for sale in Porto Rico by the Drug Co. of Porto Rico (Inc.), San Juan, P. R., and that it was misbranded in violation of the food and drugs act as amended.

Analysis of a sample of Sales Hepaticas by this department showed that it consisted essentially of sodium sulphate (24 per cent), sodium bicarbonate (23

per cent), tartaric acid (28 per cent), monosodium phosphate (10 per cent), lithium citrate (.03 per cent), and sodium chloride.

It was alleged in the libel that the article was misbranded in that the following statements appearing upon the carton and bottle labels, regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton and bottle labels, translated from Spanish) "A. D. S. Sales Hepaticas \* \* \* a powerful dissolvent of uric acid. Especially indicated against Rheumatism and Gout. \* \* \* Is a preparation that tonifies \* \* \* for the treatment of Uric Acid Diathesis, Rheumatism, Gout and Declared Lithaemia. Its use is very indicated in all these affections, as it generally produces prompt alleviation."

On September 9, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18746. Adulteration and misbranding of Dr. Welters tooth powder. U. S. v. 3 Dozen Packages, et al., of Dr. Welters Tooth Powder. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 26844, 26845. I. S. Nos. 35806, 35810. S. Nos. 5022, 5023.)**

The labeling of Dr. Welters tooth powder contained statements representing that the article possessed curative and therapeutic properties which examination showed it did not possess; the article was further represented to be antiseptic, whereas it was not.

On August 10, 1931, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 10 dozen packages of Doctor Welters tooth powder, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the E. A. Welters Tooth Powder Co., from Jacksonville, Fla., in part on or about May 13, 1931, and in part on or about June 13, 1931, and had been transported from the State of Florida into the State of Louisiana, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of Doctor Welters tooth powder by this department showed that it consisted essentially of calcium carbonate, soap, and small proportions of alum and peppermint oil. Bacteriological examination showed that the article was not antiseptic.

Adulteration of the article was alleged in the libels for the reason that its strength fell below the professed standard of "Antiseptic," under which it was sold.

Misbranding was alleged for the reason that the following statements appearing in the labeling, were false and misleading: (Carton) "Antiseptic Tooth Powder \* \* \* This preparation is not adulterated or misbranded within the meaning of the Pure Food and Drugs Act, June 30, 1906;" (circular) "Antiseptic Tooth Powder." Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article, appearing on the can and carton labels and in the circular, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claims: (Can) "Toughens Tender Gums, Helps Prevent Decay \* \* \* to help toughen tender, bleeding gums, \* \* \* and prevent decay;" (carton) "For Toughening Tender Bleeding Gums, Preventing Pyorrhea;" (circular) "Bleeding Gums. Danger Signal of Pyorrhea! Thousands have 'Pyorrhea' And Don't Know it! Read the contents of this leaflet and 'judge' if you are a victim of the dreaded disease 'Pyorrhea.' Dr. Welter's Antiseptic Tooth Powder Heals and Hardens Bleeding Gums. This Dentifrice is universally recognized as the most Efficacious Preparation known to dental science for Healing and Hardening Tender and Bleeding Gums. It is Unexcelled for \* \* \* Preventing Pyorrhea. \* \* \* The first symptoms or signs of pyorrhea are 'bleeding' and 'irritated' gums, which should be corrected immediately by consulting a dentist and using Dr. Welter's Antiseptic Tooth Powder, which is specially prepared for Healing and Hardening Bleeding Gums. \* \* \* The enamel is to the teeth what the outer layer of skin is to the body, and when impaired, the 'micro-organism' which is commonly known as the 'Tooth germ' enters the tooth, and from this